

LOWENSTEIN SANDLER PC

Attorneys At Law
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Attorneys for Defendant

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

ILLINOIS NATIONAL INSURANCE
COMPANY,

Plaintiff,

-v-

WYNDHAM WORLDWIDE OPERATIONS,
INC; WYNDHAM WORLDWIDE
CORPORATION; WYNDHAM VACATION
OWNERSHIP, INC.; and, WYNDHAM RESORT
DEVELOPMENT CORPORATION,

Defendants.

Civil Action No. 09-1724

**DECLARATION OF KEVIN J.
BRUNO, ESQ.**

Document Electronically Filed

I, Kevin J. Bruno, Esq., of full age, being duly sworn according to law, do depose and state as follows:

1. I am a Partner at the law firm of Blank Rome, LLP, where I represent corporate policyholders in complex insurance recovery litigation, in particular those involving environmental claims, products liability claims and director & officer liability losses. A copy of my biography is attached as Exhibit A.

2. I offer this Declaration in support of Defendants' Motion for Attorneys' Fees and Expenses under New Jersey Court Rule 4:42-9(a)(6).

3. I am a member in good standing of the bar of New Jersey, as well as the bars of New York and the District of Columbia.

4. I graduated from Rutgers University School of Law in 1983.

5. During my legal career, I have litigated insurance coverage actions in the State of New Jersey, State and Federal Court, and many other jurisdictions throughout the United States. As a result of these actions, I have recovered hundreds of millions of dollars in insurance assets for policyholders.

6. I reviewed the Declaration of Michael David Lichtenstein, Esq. (dated September 22, 2010) submitted in this matter. In doing so, I reviewed the hourly billable rates charged by all the Lowenstein Sandler PC ("Lowenstein") attorneys and paraprofessionals in this matter, identified in paragraphs 51-65 of the Lichtenstein Declaration.

7. Based upon that review and my person knowledge and experience with insurance coverage matters, I conclude that the rates charged by each Lowenstein attorney are reasonable and well within the prevailing market rate that is customarily charged in New Jersey for the representation of policyholders in insurance coverage lawsuits, in particular based on each attorney's experience, reputation and ability. In fact, the hourly rates charged by Lowenstein in this matter are not only comparable to but are less than the rates commonly charged by me and similarly situated attorneys at Blank Rome, LLP.

8. Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the above statements are true and correct.



KEVIN J. BRUNO

DATED: April 1, 2011

Exhibit A

Kevin J. Bruno

Partner

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Kevin J. Bruno has 25 years of experience in complex commercial litigation, concentrating his practice in environmental, mass tort, products and insurance recovery litigation.

Mr. Bruno's experience includes:

- Defending clients in mass tort litigation, including lawsuits relating to alleged exposure to products, chemicals and/or alleged hazardous materials
- Defending clients against lawsuits and criminal investigations brought by the government pursuant to State and Federal environmental programs, including CERCLA, RCRA and TSCA
- Representing clients in connection with private party cost recovery actions, alleged violations of the Clean Water Act and internal environmental audits and investigations
- Representing policyholders in State and Federal courts in some of the largest, most complex environmental insurance coverage litigations, as well as policyholders in their pursuit of insurance coverage for products, intellectual property and director & officer liability losses
- Counseling and representing clients in products liability litigation, often times in connection with efforts to obtain insurance coverage for the defense of such claims
- Representing a New Jersey hospital in dozens of cases arising out of employment of a nurse who confessed to being a serial killer, secured favorable settlements in each case for our client, representation included determination of insurance coverage and working with the carrier

Mr. Bruno was selected to the *BTI Client Service All-Stars*, a listing of 113 attorneys based on interviews of more than 250 in-house corporate counsel at large and Fortune 100 companies.

Since 2006, Mr. Bruno has been selected for inclusion in Best Lawyers in two practice areas, Environmental and Insurance Litigation.

Mr. Bruno has received the highest possible rating from Martindale-Hubbell.

Before joining Blank Rome, Mr. Bruno was a founding member of Robertson, Freilich, Bruno & Cohen, LLC (1999-2009). Prior to that, he was an associate and member of Hannon Weisman, PC (1984-1999), and one of the original members of its Environmental Department.

He served as Judicial Law Clerk to the Honorable Nicholas Scalera, Assignment Judge, Superior Court of New Jersey, Essex County (1983–1984).

Mr. Bruno is the Co-Chair of the ABA's Section of Litigation Environmental Litigation Committee and is the Section's Liaison to the ABA's Standing Committee on Environmental Law.

Representative Matters

- Mr. Bruno is currently defending one of the world's largest oil refineries in two mass tort actions involving alleged personal injuries and property damage arising from alleged exposure to various air emissions. The matters collectively encompass nearly 600 plaintiffs and several hundred properties.
- Mr. Bruno is currently defending a global chemical manufacturer in national multi-district litigation relating to alleged contamination of groundwater in numerous States, cities and US territories.
- Mr. Bruno represents one of the nation's largest global logistics and transportation companies in all environmental and insurance-related claims and litigation.
- On behalf of one of the nation's largest media conglomerates, Mr. Bruno successfully pursued insurance coverage against 85 insurance companies under 580 policies for environmental liabilities, obtaining nearly \$250 million in recovery.
- On behalf of one of the nation's largest manufacturers of bedding products, Mr. Bruno successfully represented the client in a private cost recovery action initiated under CERCLA, and a separate insurance recovery action.
- Mr. Bruno represented the alleged successors to the United States Radium Corporation in nearly 15 years of litigation and trials relating to radium-sourced products and tailings. These matters included mass tort, products liability and property damage claims, as well as environmental claims asserted by USEPA and USNRC.
- On behalf of a manufacturer of latex gloves, Mr. Bruno successfully pursued insurance coverage for hundreds of products liability claims throughout the US. He also assisted the client and defense counsel regarding a comprehensive settlement of all products-related claims.

Community Service & Affiliations

Mr. Bruno has been appointed to several Leadership positions within the American Bar Association (ABA). In August 2008, he was appointed and continues to serve as Chair of the Environmental Litigation Committee of the Section of Litigation. In August 2009, he was appointed and continues to serve as the Section of Litigation's liaison to the ABA's Standing Committee on Environmental Law. These appointments are in recognition of his earned reputation as one of the nation's leading environmental litigation attorneys. In these roles, Mr. Bruno will assist with positioning the ABA's Section of Litigation to respond quickly to the hottest environmental issues facing the legal profession, and further the Committee's goal of helping members become better environmental litigators.

Mr. Bruno is also an adjunct professor of environmental law at the Stevens Institute of Technology in Hoboken, New Jersey.

Bar Admissions

District of Columbia

New Jersey

New York

U.S. District Court - New Jersey

U.S. District Court - Southern District of New York

U.S. District court - Eastern District of New York

Memberships

Member, American Bar Association

Member, District of Columbia Bar Association

Member, Essex County Bar Association

Member, New Jersey State Bar Association

Education

Rutgers University School of Law, Newark, JD, 1983

Rutgers, the State University of New Jersey, BA, magna cum laude; Phi Beta Kappa; Rutgers Scholar, 1980